Permit #: #28.3304-44

Effective Date: Draft

Expiration Date: Draft

SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES MINOR AIR QUALITY OPERATING PERMIT

Steven M Pirner, Secretary Department of Environment and Natural Resources

Under the South Dakota Air Pollution Control Regulations

Pursuant to Chapter 34A-1-21 of the South Dakota Codified Laws and the Air Pollution Control Regulations of the State of South Dakota and in reliance on statements made by the owner designated below, a permit to operate is hereby issued by the Secretary of the Department of Environment and Natural Resources. This permit authorizes such owner to operate the source unit(s) at the location designated below and under the listed conditions.

A. Owner

1. Company Name and Mailing Address

Wilson Trailer Sales 415 E. Oriole Avenue Lennox, SD 57039

2. Actual Source Location if Different from Above

NE ¼ of Section 5, T 98 N, R51 W, Lincoln County, South Dakota

3. Permit Contact

Ken Stucky, Plant Manager (712)266-6198

4. Facility Contact

Ken Stucky, Plant Manager (712) 266-6198

5. Responsible Official

Ken Stucky, Plant Manager (712) 266-6198

B. Permit Revisions or Modifications

Not applicable.

C. Type of Operation

Wilson Trailer Sales manufactures small gooseneck livestock trailers and grain trailers using aluminum and steel. Primary processes include cutting, stamping, and welding aluminum and steel, metal preparation through washing and painting.

Draft i

Table of Contents

			Page			
1.0	Sta	ndard Conditions	1			
	1.1	Operation of source				
	1.2	Duty to comply				
	1.3	Property rights or exclusive privileges				
	1.4	Penalty for violating a permit condition				
	1.5	Inspection and entry				
	1.6	Severability				
	1.7	Permit termination, modification, or revocation				
2.0	Per	Permit Amendments and Modifications2				
	2.1	Permit flexibility	2			
	2.2	Administrative permit amendment				
	2.3	Minor permit amendment				
	2.4	Permit modification				
	2.5	Permit revision				
	2.6	Testing new fuels or raw materials				
3.0	Per	mit Renewal	5			
	3.1	Permit effective	5			
	3.2	Permit renewal	5			
	3.3	Permit expiration	5			
4.0	Rec	cordkeeping and Reporting	5			
	4.1	Recordkeeping and reporting	5			
	4.2	Signatory requirements	6			
	4.3	Certification statement	6			
	4.4	Monthly records	6			
	4.5	Periodic reporting	7			
	4.6	Reporting permit violations	7			
5.0	Cor	ntrol of Regulated Air Pollutants	8			
	5.1	Visibility limit	8			
	5.2	Visibility exceedances	8			
	5.3	Plant wide criteria air pollutant emission limits				
	5.4	Circumvention not allowed	8			
	5.5	Minimizing emissions	8			
6.0	Per	Performance Tests9				
	6.1	Performance test may be required				
	6.2	Test methods and procedures				
	6.3	Representative performance test				
	64	Submittal of test plan	10			

Table of Contents

			Page
	6.5	Notification of test	10
	6.6	Performance test report	10
7.0	40 (CFR Part 60 Subpart HHHHHH	10
	7.1	Applicable definitions	10
	7.2	Subject to these requirements	12
	7.3	Methylene chloride requirements	
	7.4	Spray coating requirements	
	7.5	Initial notification of applicability	
	7.6	Annual notification of deviation	
	7.7	Notification of compliance status	
	7.8	Recordkeeping	
8.0	Rec	commendation	15

1.0 Standard Conditions

1.1 Operation of source

In accordance with Administrative Rules of South Dakota (ARSD) 74:36:04:15(9), the owner or operator shall operate the units, controls, and processes as described in Table 1-1 in accordance with the statements, representations, and supporting data contained in the complete permit application received February 14, 2011, unless modified by the conditions of this permit. Except as otherwise provided herein, the control equipment shall be operated at all times in accordance with the manufacturer's specification and in a manner that achieves compliance with the conditions of this permit. The application consists of the application forms, supporting data, and supplementary correspondence. If the owner or operator becomes aware it failed to submit any relevant facts in a permit application or submitted incorrect information in an application, such information shall be promptly submitted.

Table 1-1 – Description of Permitted Units, Operations, and Processes

		Maximum	Control
Unit	Description	Operating Rate	Device
#1	Custom Contrast Equipment Company	4.69 gallon per	Swing Down Diffusions
	paint booth with airless spray guns	hour	Media Blanket Filters

1.2 Duty to comply

In accordance with ARSD 74:36:04:15(12), the owner or operator shall comply with the conditions of this permit. An owner or operator who knowingly makes a false statement in any record or report or who falsifies, tampers with, or renders inaccurate, any monitoring device or method is in violation of this permit. A violation of any condition in this permit is grounds for enforcement, reopening this permit, permit termination, or denial of a permit renewal application. The owner or operator, in an enforcement action, cannot use the defense that it would have been necessary to cease or reduce the permitted activity to maintain compliance. The owner or operator shall provide any information requested by the Secretary to determine compliance or whether cause exists for reopening or terminating this permit. This permit does not waive compliance with federal, state, or local laws and ordinances.

1.3 Property rights or exclusive privileges

In accordance with ARSD 74:36:04:15(12), the State's issuance of this permit, adoption of design criteria, and approval of plans and specifications does not convey any property rights of any sort, any exclusive privileges, any authorization to damage, injure or use any private property, any authority to invade personal rights, any authority to violate federal, state or local laws or regulations, or any taking, condemnation or use of eminent domain against any property owned by third parties. The State does not warrant the owner's or operator's compliance with this permit, design criteria, approved plans and specifications, and operation under this permit, will not cause damage, injury or use of private property, an invasion of personal rights, or violation of federal, state or local laws or regulations. The owner or operator is solely and severally liable for all damage, injury or use of private property, invasion of personal rights,

infringement of federal, state or local laws and regulations, or taking or condemnation of property owned by third parties, which may result from actions taken under the permit.

1.4 Penalty for violating a permit condition

In accordance with South Dakota Codified Laws (SDCL) 34A-1-39 and 34A-1-47, a violation of a permit condition may subject the owner or operator to civil or criminal prosecution, a state penalty of not more than \$10,000 per day per violation, injunctive action, administrative permit action, and other remedies as provided by law.

1.5 Inspection and entry

In accordance with SDCL 34A-1-41, the owner or operator shall allow the Secretary, upon presentation of credentials, to:

- 1. Enter the premises where a regulated activity is located or where pertinent records are stored;
- 2. Have access to and copy any records required under this permit;
- 3. Inspect operations regulated under this permit; and/or
- 4. Sample or monitor any substances or parameters for the purpose of assuring compliance.

1.6 Severability

In accordance with ARSD 74:36:04:15(11), any portion of this permit that is void or challenged shall not affect the validity of the remaining permit requirements.

1.7 Permit termination, modification, or revocation

In accordance with ARSD 74:36:04:27, the Secretary may recommend that the Board of Minerals and Environment terminate, modify, or revoke this permit for violations of SDCL 34A-1 or the federal Clean Air Act or for nonpayment of any outstanding enforcement penalty.

2.0 Permit Amendments and Modifications

2.1 Permit flexibility

In accordance with ARSD 74:36:04:18, the owner or operator shall have the flexibility to make changes to the source during the term of this permit. The owner or operator shall provide the Secretary written notice at least seven days in advance of the proposed change (NOTE: The Secretary will forward a copy of the written notice to EPA). The written notice shall include a brief description of the change, the date on which the change is to occur, any change in emissions, the proposed changes to the permit, and whether the requested revisions are for an administrative permit amendment, minor permit amendment, or permit modification.

The Secretary will notify the owner or operator whether the change is an administrative permit amendment, a minor permit amendment, or a permit modification. A proposed change that is considered an administrative permit amendment or a minor permit amendment can be completed

immediately after the Secretary receives the written notification. The owner or operator must comply with both the applicable requirements governing the change and the proposed permit terms and conditions until the Secretary takes final action on the proposed change.

A proposed change that is considered a modification cannot be implemented until the Secretary takes final action on the proposed change or the owner or operator was issued an air quality construction permit. Permit modifications are subject to the same procedural requirements, including public comment, as the original permit issuance except that the required review shall cover only the proposed changes.

2.2 Administrative permit amendment

In accordance with ARSD 74:36:04:20, the Secretary has 15 days from receipt of a written notice to verify the proposed change is an administrative permit amendment. As provided in ARSD 74:36:01:03, the Secretary considers a proposed change an administrative permit amendment if the proposed change accomplishes one of the following:

- 1. Corrects typographical errors;
- 2. Changes the name, address, or phone number of any person identified in this permit or provides a similar minor administrative change;
- 3. Requires more frequent monitoring or reporting;
- 4. The ownership or operational control changes and the Secretary determines no other change in this permit is necessary. However, the new owner must submit a certification of applicant form and a written statement specifying the date for transfer of operating permit responsibility, coverage, and liability; or
- 5. Any other changes the Secretary and the administrator of EPA determines to be similar to those requirements in this condition.

2.3 Minor permit amendment

In accordance with ARSD 74:36:04:20.04, the Secretary has 90 days from receipt of a written notice to take final action on a minor permit amendment. Final action consists of issuing or denying a minor permit amendment or determining the proposed change is a permit modification. As provided in ASRD 74:36:04:20:02, the Secretary considers a proposed change to be a minor permit amendment if the proposed change:

- 1. Does not violate any applicable requirements;
- 2. Does not involve significant changes to existing monitoring, reporting, or recordkeeping requirements;
- 3. Does not require or change a case-by-case determination of an emission limit or other standard, a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis; or
- 4. Does not seek to establish or change a permit term or condition for which the source has assumed to avoid an applicable requirement, a federally enforceable emission cap, or an

alternative emission limit. An alternative emission limit is approved pursuant to regulations promulgated under section 112(i)(5) of the federal Clean Air Act.

2.4 Permit modification

In accordance with ARSD 74:36:04:21, an owner or operator may apply for a permit modification. A permit modification is defined in ARSD 74:36:01:10 as a physical change in or change in the operation of a source that results in at least one of the following:

- 1. An increase in the amount of an air pollutant emitted by the source or results in the emission of an air pollutant not previously emitted;
- 2. A significant change to existing monitoring, reporting, or recordkeeping requirements in the permit;
- 3. The change requires or changes a case-by-case determination of an emission limit or other standard, a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis; or
- 4. The change seeks to establish or change a permit term or condition for which there is a corresponding underlying applicable requirement that the source has assumed to avoid an applicable requirement, a federally enforceable emissions cap assumed to avoid classification as a modification under a provision of the Title I of the Clean Air Act, or an alternative emissions limit approved pursuant to regulations promulgated under section 112(i)(5) of the Clean Air Act.

Permit modifications are subject to the same procedural requirements, including public comment, as the original permit issuance except the required review shall cover only the proposed changes.

2.5 Permit revision

In accordance with ARSD 74:36:04:23, the Secretary may reopen and revise this permit to meet requirements of SDCL 34A-1 or the federal Clean Air Act. In accordance with ARSD 74:36:04:24, the Secretary shall notify the owner or operator at least 30 days before reopening this permit. The 30-day period may be less in the case of an emergency.

2.6 Testing new fuels or raw materials

In accordance with ARSD 74:36:11:04, an owner or operator may request permission to test a new fuel or raw material to determine if it is compatible with existing equipment before requesting a permit amendment or modification. A complete test proposal shall consist of the following:

- 1. A written proposal describing the new fuel or raw material, operating parameters, and parameters that will be monitored and any testing associated with air pollutant emissions during the test;
- 2. An estimate of the type and amount of regulated air pollutant emissions resulting from the proposed change; and

3. The proposed schedule for conducting the test. In most cases the owner or operator will be allowed to test for a maximum of one week. A request for a test period longer than one week will need additional justification. A test period shall not exceed 180 days.

The Secretary shall approve, conditionally approve, or deny in writing the test proposal within 45 days after receiving a complete proposal. Approval conditions may include changing the test schedule or pollutant sampling and analysis methods. Pollutant sampling and analysis methods may include, but are not limited to performance testing, visible emission evaluation, fuel analysis, dispersion modeling, and monitoring of raw material or fuel rates.

If the Secretary determines the proposed change will result in an increase in the emission of a regulated air pollutant or result in the emission of an additional regulated air pollutant, the Secretary shall give public notice of the proposed test for 30 days. The Secretary shall consider all comments received during the 30-day public comment period before making a final decision on the test.

The Secretary will not approve a test if the test would cause or contribute to a violation of a national ambient air quality standard.

3.0 Permit Renewal

3.1 Permit effective

In accordance with ARSD 74:36:04:05, this permit shall expire five years from date of issuance unless reopened or terminated for cause.

3.2 Permit renewal

In accordance with ARSD 74:36:04:06, the owner or operator shall submit an application for a permit renewal at least 90 days before the date of permit expiration if the owner or operator wishes to continue to operate an activity regulated by this permit. The current permit shall not expire and shall remain in effect until the Secretary takes final action on the timely permit renewal application.

3.3 Permit expiration

In accordance with ARSD 74:36:04:16, permit expiration terminates the owner's or operator's right to operate any unit covered by this permit.

4.0 Recordkeeping and Reporting

4.1 Recordkeeping and reporting

In accordance with ARSD 74:36:04:15(10), the owner or operator shall maintain all monitoring data, records, reports, and pertinent information specified by this permit for five years from the

date of sample, measurement, report, or application unless otherwise specified in this permit. The records shall be maintained on site for the first two years and may be maintained off site for the last three years. All records must be made available to the Secretary for inspection. All notifications and reports shall be submitted to the following address:

South Dakota Department of Environment and Natural Resources PMB 2020, Air Quality Program 523 E. Capitol, Joe Foss Building Pierre, SD 57501-3182

4.2 Signatory requirements

In accordance with ARSD 74:36:04:07, all applications submitted to the Secretary shall be signed and certified by a responsible official. A responsible official for a corporation is a responsible corporate officer and for a partnership or sole proprietorship is a general partner or the proprietor, respectively. All reports or other information submitted to the Secretary shall be signed and certified by a responsible official or a duly authorized representative. A person is a duly authorized representative only if:

- 1. The authorization is made in writing by a person described above and submitted to the Secretary; and
- 2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters.

The responsible official shall notify the Secretary if an authorization is no longer accurate. The new duly authorized representative must be designated prior to or together with any reports or information to be signed by a duly authorized representative.

4.3 Certification statement

In accordance with ARSD 74:36:04:15(10), all documents required by this permit, including application forms, reports, and compliance certification, must be certified by a responsible official or a duly authorized representative. The certification shall include the following statement:

"I certify that, based on information and belief formed after reasonable inquiry, the statements and information in this document and all attachments are true, accurate, and complete."

4.4 Monthly records

In accordance with ARSD 74:36:20:15(10), the owner or operator shall calculate the amount of criteria air pollutants emitted each month. A 12-month rolling total shall be calculated every month using that month's value and the previous 11 months' values.

The emissions will be based on the amount of products used each month and the composition of the product based on the material safety data sheets, manufacturer supplied formulation data, EPA approved test method data, or a method approved by the Secretary.

4.5 Periodic reporting

In accordance with ARSD 74:36:20:15(10), the owner or operator shall submit a quarterly report to the Secretary by the end of each calendar quarter. Once the facility has successfully demonstrated compliance with the operational limits for four consecutive quarters, the owner or operator may revert to an annual report if the 12-month rolling total is less than or equal to 80 percent of the appropriate criteria air pollutant limit. The reporting frequency may revert back to quarterly reporting if there is sufficient data that indicates more frequent reporting is warranted or the 12-month rolling total is greater than 80 percent of the appropriate hazardous air pollutant limit. The quarterly and annual report shall contain the following information:

- 1. Name of facility, permit number, reference to this permit condition, identifying the submittal as a quarterly or annual report, and calendar dates covered in the reporting period.
- 2. The quantity of criteria air pollutants, in tons, emitted for each 12-month period in the reporting period and supporting documentation;
- 3. A copy of the MSDS, manufacturer supplied formulation data, or EPA approved test method data for any product used at the facility during the calendar quarter that has not been previously submitted to the Secretary; and

The first quarterly report must be postmarked no later than 30 days after the end of the calendar quarter in which the permit was issued. The remaining reports must be postmarked no later than 30 days after the end of the reporting period.

4.6 Reporting permit violations

In accordance with ARSD 74:36:04:15(10), the owner or operator shall report all permit violations. A permit violation should be reported as soon as possible, but no later than the first business day following the day the violation was discovered. The permit violation may be reported by telephone to the South Dakota Department of Environment and Natural Resources at (605) 773-3151 or by FAX at (605) 773-4068.

A written report shall be submitted within five days of discovering the permit violation. Upon prior approval from the Secretary, the submittal deadline for the written report may be extended up to 30 days. The written report shall contain:

- 1. A description of the permit violation and its cause(s);
- 2. The duration of the permit violation, including exact dates and times; and
- 3. The steps taken or planned to reduce, eliminate, and prevent reoccurrence of the permit violation.

The Secretary may waive the written report on a case-by-case basis if the oral report has been received within the reporting period and dependent upon the severity of the permit violation.

5.0 Control of Regulated Air Pollutants

5.1 Visibility limit

In accordance with ARSD 74:36:12:01, the owner or operator may not discharge into the ambient air an air contaminant of a density equal to or greater than that designated as 20 percent opacity from any permitted unit, operation, or process listed in Table 1-1, unless otherwise specified in this permit. This provision does not apply when the presence of uncombined water is the only reason for failure to meet the requirement.

5.2 Visibility exceedances

In accordance with ARSD 74:36:12:02, an exceedance of the operating limit in permit condition 5.1 is not considered a violation during brief periods of soot blowing, start-up, shutdown, or malfunctions. Malfunction means any sudden and unavoidable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. A failure caused entirely or in part by poor maintenance, careless operation, preventable equipment breakdown, or any other cause within the control of the owner or operator is not a malfunction and is considered a violation.

5.3 Plant wide criteria air pollutant emission limits

In accordance with ARSD 74:36:20:15(9), the owner or operator shall not emit greater than or equal to 9.5 tons of a single hazardous air pollutant, 23.8 tons of a combination of hazardous air pollutants, 95 tons per year of total particulate matter/particulate matter 10 microns in diameter or less, or 95 tons per year of volatile organic compounds from permitted units and fugitive sources per 12-month rolling period. The 12-month rolling total shall be calculated every month using that month's value and the previous 11 months' values. The 12-month rolling total shall continue from 12-month rolling total required in air quality construction permit #28.3304-44-01C.

5.4 Circumvention not allowed

In accordance with ARSD 74:36:04:31, the owner or operator may not install, use a device, or use a means that conceals or dilutes an air emission that would otherwise violate this permit. This includes operating a unit or control device that emits air pollutants from an opening other than the designed stack, vent, or equivalent opening.

5.5 Minimizing emissions

In accordance with ARSD 74:36:08:03, as referenced to 40 CFR § 63.6(e)(1)(i), the owner or operator shall at all times, including periods of startup, shutdown, and malfunction, operate and maintain any permitted unit, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for

minimizing emissions. During a period of startup, shutdown, or malfunction, this general duty to minimize emissions requires the owner or operator to reduce emissions from the permitted unit to the greatest extent which is consistent with safety and good air pollution control practices. The general duty to minimize emissions during a period of startup, shutdown, or malfunction does not require the owner or operator to achieve emission levels that would be required by the applicable standard at other times if this is not consistent with safety and good air pollution control practices, nor does it require the owner or operator to make any further efforts to reduce emissions if levels required by the applicable standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Secretary which may include, but is not limited to, monitoring results, review of operation and maintenance procedures (including a startup, shutdown, and malfunction plan, if required), review of operation and maintenance records, and inspection of the operation.

6.0 Performance Tests

6.1 Performance test may be required

In accordance with ARSD 74:36:11:02, the Secretary may request a performance test during the term of this permit. A performance test shall be conducted while operating the unit at or greater than 90 percent of its maximum design capacity, unless otherwise specified by the Secretary. A performance test conducted while operating less than 90 percent of its maximum design capacity will result in the operation being limited to the percent achieved during the performance test. The Secretary has the discretion to extend the deadline for completion of performance test required by the Secretary if circumstances reasonably warrant but will not extend the deadline past a federally required performance test deadline.

6.2 Test methods and procedures

In accordance with ARSD 74:36:11:01, the owner or operator shall conduct the performance test in accordance with 40 CFR Part 60, Appendix A, 40 CFR Part 63, Appendix A, and 40 CFR Part 51, Appendix M. The Secretary may approve an alternative method if a performance test specified in 40 CFR Part 60, Appendix A, 40 CFR Part 63, Appendix A, and 40 CFR Part 51, Appendix M is not federally applicable or federally required.

6.3 Representative performance test

In accordance with ARSD 74:36:07:01, as referenced to 40 CFR § 60.8(c), performance tests shall be conducted under such conditions as the Secretary shall specify to the owner or operator based on the representative performance of the unit being tested. The owner or operator shall make available to the Secretary such records as may be necessary to determine the conditions of the performance tests. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test nor shall emissions in excess of the level of the applicable emission limit during periods of startup, shutdown, and malfunction be considered a violation of the applicable emission limit unless otherwise specified in this permit.

6.4 Submittal of test plan

In accordance with ARSD 74:36:11:01, the owner or operator shall submit the proposed testing procedures to the Secretary at least 30 days prior to any performance test. The Secretary will notify the owner or operator if the proposed test procedures are approved or denied. If the proposed test procedures are denied, the Secretary will provide written notification outlining what needs to be completed for approval.

6.5 Notification of test

In accordance with ARSD 74:36:11:03, the owner or operator shall notify the Secretary at least 10 days prior to the start of a performance test to arrange for an agreeable test date when the Secretary may observe the test. The Secretary may extend the deadline for the performance test in order to accommodate schedules in arranging an agreeable test date.

6.6 Performance test report

In accordance with ARSD 74:36:04:15(10), the owner or operator shall submit a performance test report to the Secretary within 60 days after completing the performance test or by a date designated by the Secretary. The performance test report shall contain the following information:

- 1. A brief description of the process and the air pollution control system being tested;
- 2. Sampling location description(s);
- 3. A description of sampling and analytical procedures and any modifications to standard procedures;
- 4. Test results represented in the same terminology as the permit limits;
- 5. Quality assurance procedures and results;
- 6. Records of operating conditions during the test necessary for demonstrating compliance with the permit limits, preparation of standards, and calibration procedures;
- 7. Raw data sheets for field sampling and field and laboratory analyses;
- 8. Documentation of calculations:
- 9. All data recorded and used to establish parameters for compliance monitoring; and
- 10. Any other information required by the test method.

7.0 40 CFR Part 60 Subpart HHHHHHH

7.1 Applicable definitions

In accordance with 74:36:08:108, as referenced to 40 CFR § 63.11180, the terms used in this Chapter have the following meaning:

1. "Facility maintenance" means 1) surface coating performed as part of the routine repair or renovation of the tools, equipment, machinery, and structures that comprise the infrastructure of the facility, 2) surface coating associated with the installation of new

- equipment or structures, and the application of any surface coating as part of janitorial activities, and 3) surface coating to stationary structures or their appurtenances at the site of installation, to portable buildings at the site of installation, to pavements, or to curbs.
- 2. "Miscellaneous surface coating operations" means the collection of equipment used to apply surface coating to miscellaneous parts and/or products made of metal or plastic, including applying cleaning solvents to prepare the surface before coating application, mixing coatings before application, applying coating to a surface, drying or curing the coating after application, and cleaning coating application equipment, but not plating. A single surface coating operation may include any combination of these types of equipment, but always includes at least the point at which a coating material is applied to a given part.
- 3. "Mobile equipment" means any device that may be drawn and/or driven on a roadway including, but not limited to, heavy-duty trucks, truck trailers, fleet delivery trucks, buses, mobile cranes, bulldozers, street cleaners, agriculture equipment, motor homes, and other recreational vehicles (including camping trailers and fifth wheels).
- 4. "*Motor vehicle*" means any self-propelled vehicle, including, but not limited to, automobiles, light duty trucks, golf carts, vans, and motorcycles.
- 5. "Motor vehicle and mobile equipment surface coating" means the spray application of coatings to assembled motor vehicles or mobile equipment. For the purposes of this subpart, it does not include the surface coating of motor vehicle or mobile equipment parts or subassemblies at a vehicle assembly plant or parts manufacturing plant.
- 6. "Spray-applied coating operations" means coatings that are applied using a hand-held device that creates an atomized mist of coating and deposits the coating on a substrate. Spray-applied coatings do not include 1) coatings applied from a hand-held device with a paint cup capacity that is equal to or less than 3.0 fluid ounces, 2) applications using power coating, hand-held, non-refillable aerosol containers, or non-atomizing application technology, including, but not limited to, paint brushes, rollers, hand wiping, flow coating, dip coating, electrodeposition coating, web coating, coil coating, touch-up markers, or marking pens, or 3) thermal spray operations (i.e. metallizing, flame spray, plasma arc spray, and electric arch spray) in which solid metallic or non-metallic material is heated to a molten or semi-molten state and propelled to the work piece or substrate by compressed air or other gas, where a bond is produced upon impact.
- 7. "Space vehicle" means vehicles designed to travel beyond the limit of the earth's atmosphere; including but not limited to satellites, space stations, and the Space Shuttle System.
- 8. "Target hazardous air pollutants or Target HAPs" are compounds of chromium (Cr), lead (Pb), manganese (Mn), nickel (Ni), or cadmium (Cd).
- 9. "*Transfer efficiency*" means the amount of coating solids adhering to the object being coated divided by the total amount of coating solids sprayed, expressed as a percentage. Coating solids means the nonvolatile portion of the coating that makes up the dry film.

7.2 Subject to these requirements

In accordance with 74:36:08:108, as referenced to 40 CFR § 63.11170(a), the owner or operator is subject to the requirements of this chapter if the following operations are conducted:

- 1. Perform paint stripping using methylene chloride for the removal of dried paint (including, but not limited to, paint, enamel, varnish, shellac, and lacquer) from wood, metal, plastic, and other substrates;
- 2. Perform spray application of coatings containing target hazardous air pollutants to motor vehicles and mobile equipment including operations that are located in stationary structures at fixed locations, and mobile repair and refinishing operations that travel to the customer's location, except for facility maintenance spray coating applications; or
- 3. Perform spray application of coatings that contain the target hazardous air pollutants to a plastic and/or metal substrate on a part or product that are not motor vehicles or mobile equipment, except spray coating applications of facility maintenance or space vehicle.

7.3 Methylene chloride requirements

In accordance with 74:36:08:108, as referenced to 40 CFR § 63.11173(a) through (d), the owner or operator shall implement the following to minimize the emissions of methylene chloride:

- 1. Evaluate each application to ensure there is a need for paint stripping;
- 2. Evaluate each application where a paint stripper containing methylene chloride is used to ensure that there is no alternative paint stripping technology that may be used;
- 3. Reduce exposure of all paint strippers containing methylene chloride;
- 4. Optimize application conditions when using paint strippers containing methylene chloride to reduce methylene chloride;
- 5. Practice proper storage and disposal of paint strippers containing methylene chloride;
- 6. Maintain records of annual usage of paint strippers containing methylene chloride; and
- 7. If the owner or operator uses more than one ton of methylene chloride, develop and implement a written methylene chloride minimization plan. A placard or sign outlining the plan must be placed in each area where paint stripping operations occur. The plan must be maintained on-site at all times.

7.4 Spray coating requirements

In accordance with 74:36:08:108, as referenced to 40 CFR § 63.11173(e), (f), and (g), each motor vehicle and mobile equipment surface coating operation and each miscellaneous surface coating operation that use coatings containing target hazardous air pollutants must meet the following requirements:

- 1. Certify and train all painters on spray application techniques, proper setup of spray equipment, and proper maintenance of spray equipment;
- 2. All spray booths, preparation stations, and mobile enclosures must be fitted with a type of filter technology that can achieve at least 98% capture efficiency;

- 3. Spray booths and stations used to refinish complete motor vehicles or mobile equipment must be fully enclosed with a full roof, and four complete walls or complete side curtains, and ventilated at negative pressure so that the air is drawn into any openings in the booth walls or preparation station curtains, or up to 0.05 inches water gauge positive pressure for booths that have seals on all doors and other openings and an automatic pressure balancing system;
- 4. Spray booths and stations used to coat miscellaneous parts and products or vehicle subassemblies must have a full roof, at least three complete walls or complete side curtains, and must be ventilated so that air is drawn into the booth;
- 5. Mobile ventilated enclosures that are used to perform spot repairs must be enclosed and, if necessary, seal against the surface around the area being coated such that the paint overspray is retained within the enclosure and directed to a filter to capture paint overspray;
- 6. Spray applied coatings must be applied with a high volume, low pressure (HVLP) spray gun, electrostatic application, airless or air-assisted airless spray gun, or an equivalent technology;
- 7. Paint spray gun cleaning must be done so that an atomized mist or spray of the cleaning solvent is not created outside a container that collects used gun cleaning solvent;
- 8. Train and certify all personnel who spray apply surface coatings no later than 180 days after hiring; and
- 9. Training and certification will be valid for a period not to exceed five years after the date the training is completed, and all personnel must receive refresher training and be recertified every five years.

7.5 Initial notification of applicability

In accordance with ARSD 74:36:08:18, as reference to 40 CFR § 63.11175, the owner or operator shall submit an initial notification within 180 days after the first time the owner or operator is applicable to the requirements in this chapter. The initial notification shall consist of the following:

- 1. The company name and permit number;
- 2. The name, title, street address, telephone number, e-mail address (if available), and signature of the owner and operator, or other certifying company official;
- 3. The street address (physical location) of the operation and the street address where compliance records are maintained, if different. If it is a motor vehicle or mobile equipment surface coating operation that repairs vehicles at the customer's location, rather than at a fixed location, such as a collision repair shop, the notification should state this and indicate the physical location where records are kept to demonstrate compliance;
- 4. An identification of the relevant standards in this chapter that are applicable;
- 5. A brief description of the type of operation as specified below:
 - a. For all surface coating operations, indicate whether the source is a motor vehicle and mobile equipment surface coating operation or a miscellaneous surface coating

- operation, and include the number of spray booths and preparation stations, and the number of painters usually employed at the operation;
- b. For paint stripping operations, identify the method(s) of paint stripping employed (e.g., chemical, mechanical) and the substrates stripped (e.g., wood, plastic, metal);
- 6. Each paint stripping operation must indicate whether the owner or operator plans to annually use more than one ton of methylene chloride; and
- 7. A statement certifying the owner or operator is in compliance with each of the relevant requirements of this chapter.

7.6 Annual notification of deviation

In accordance with ARSD 74:36:08:18, as reference to 40 CFR § 63.11176(a), if the owner or operator subject to permit condition 7.4, the owner or operator is required to submit a report in each calendar year in which information previously submitted in the initial notification or a previous annual notification of deviation has changed. In addition, the annual notification of deviation shall include notification when the paint stripping operation used more than one ton of methylene chloride in the previous calendar year and the owner or operator had not developed and implemented a written methylene chloride minimization plan. The annual notification of deviation shall be submitted prior to March 1 of each calendar year when reportable changes have occurred and must include the following:

- 1. The company name, permit number, and street address of the operation and street address where compliance records are maintained, if different; and
- 2. The name, title, address, telephone number, e-mail address (if available), and signature of the owner and operator, or other certifying company official, certifying the truth, accuracy, and completeness of the notification and a statement of whether the owner or operator has complied with all the relevant standards and other requirements of this chapter or an explanation of any noncompliance and a description of corrective actions being taken to achieve compliance.

7.7 Notification of compliance status

In accordance with ARSD 74:36:08:18, as reference to 40 CFR § 63.11176(b), if the owner or operator has not developed and implemented a written methylene chloride minimization plan and the owner or operator used more than one ton of methylene chloride in the previous calendar year, the owner or operator must develop and implement a written methylene chloride minimization plan no later than December 31 of the calendar year in which the annual notification of deviation was reported. In addition, the owner or operator shall submit a Notification of Compliance Status report containing the information in permit condition 7.6 by March 1 of the following year.

7.8 Recordkeeping

In accordance with ARSD 74:36:08:108, as referenced to 40 CFR §§ 63.11177 and 63.11178, the owner or operator shall maintain the following records:

- 1. Certification that each painter completed initial training and the most recent refresher training was completed;
- 2. Spray booth filter efficiency documentation;
- 3. Spray gun transfer efficiency documentation;
- 4. Copies of any notifications or reports submitted;
- 5. Records of paint strippers containing methylene chloride used for paint stripping operations, including the methylene chloride content of the paint stripper. Documentation needs to be sufficient to verify annual usage of paint stripper containing methylene chloride (e.g., material safety data sheets or other documentation provided by the manufacturer or supplier of paint stripper, purchase receipts, records of paint stripper usage, engineering calculations);
- 6. Records of an annual review and updates to the methylene chloride minimization plan required, if applicable;
- 7. Documentation of any deviations from the requirements in this chapter and corrective actions taken; and
- 8. Records of any assessments made in support of any notification or report.

The owner or operator shall maintain copies of all records for a period of at least five years after the date of each record.—Copies of records must be kept on site and in a printed or electronic form that is readily accessible for inspection for at least the first two years after their date, and may be kept off-site after the two year period.

8.0 Recommendation

A review of this facility indicates it can operate in compliance with South Dakota's Air Pollution Control rules and the federal Clean Air Act. The Secretary, therefore, recommends that the Board of Minerals and Environment issue this minor air quality operating permit with conditions to ensure compliance with SDCL 34A-1 and the federal Clean Air Act. Any questions pertaining to the Secretary's recommendation should be directed to Marc Macy, Engineer III, at (605) 773-3151.